

ITEM # _____

Prepared by: Commissioner Mike Carpenter

Moved by: _____

Approved by: Christy L. Kinard
Assistant County Attorney

Seconded by: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SHELBY COUNTY CODE OF ORDINANCES, CHAPTER 20, ARTICLE V, TO UPDATE REGULATIONS CONCERNING THE OPERATION OF BICYCLES. SPONSORED BY COMMISSIONER MIKE CARPENTER.

WHEREAS, it is in the best interest of Shelby County to encourage and promote the safe operation of bicycles within the boundaries of the County; and

WHEREAS, the current Shelby County Code of Ordinances, Chapter 20, Article V contains sections that are in conflict with current laws of the State of Tennessee and generally accepted safe practices.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNT, TENNESSEE, that Chapter 20, Article V, Sections 20-103, 20-104, 20-105, 20-107, 20-108, 20-110, 20-112 and 20-113 be and are hereby amended to read as follows:

Section 20-103. Lights and reflectors.

Every bicycle, when in use during hours of darkness, shall be equipped with the following:

- (1) A lamp mounted on the front of either the bicycle or the operator that shall emit a white light visible from a distance of at least 500 feet to the front. A generator powered lamp may be used to meet this requirement; and
- (2) A rearward-facing red reflector upon the rear of either the bicycle or the operator which shall be visible from 100 feet to 600 feet when directly in front of lawful lower beams of headlight or headlamps on a motor vehicle. A light emitting a red light visible from a distance of 500 feet to the rear may be used to meet this requirement.

Section. 20-104. Brakes.

Every bicycle shall be equipped with a brake which will enable its driver to stop the bicycle within 25 feet from a speed of ten miles per hour on dry, level, clean pavement. For purposes of this section, the drivetrain of a fixed gear bike is considered a brake, provided the person operating the bicycle can demonstrate

compliance with the braking standard.

State law reference: Similar provisions, T.C.A. § 55-8-177.

Section 20-105. Signal devices.

No bicycle shall be equipped with, nor shall any person upon a bicycle use, a siren or whistle.

Section 20-107. Riding on roadways.

(a) For purposes of this section, the following words, terms and phrases shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Substandard width lane means a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

- (1) When overtaking and passing another vehicle proceeding in the same direction;
- (2) When preparing for a left turn at an intersection or into a private road or driveway; or
- (3) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge of the roadway.

(c) Hand signals for stopping, turning and changing lanes shall be given at least one time but are not required to be continuous if the bicycle is in a designated turn lane or if the operator's hands are needed for the safe operation of the bicycle. A person operating a bicycle may give a right turn signal by extending the right hand and arm horizontally and to the right of the bicycle.

State law reference: Similar provisions, T.C.A. § 55-8-175.

Section 20-108. Obedience to traffic control devices.

Any person operating a bicycle approaching an intersection that may be controlled by a traffic control signal utilizing a vehicle detection device that is inoperative due to the size of the bicycle shall come to a full and complete stop at the intersection and, after exercising due care, may proceed with caution when it is safe to do so.

State law reference: Similar provisions, motorcycles, T.C.A. § 55-8-110.

Section 20-110. Multiple riders.

Persons operating bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles and, when riding two abreast, shall not impede the normal and reasonable movement of traffic and, on a roadway laned for traffic, shall ride within a single lane.

State law reference: Similar provisions, T.C.A. § 55-8-175(b).

Section 20-112. Towing other vehicles.

(a) The operator of a bicycle shall not tow or draw any coaster, sled, person on roller skates, toy vehicle or similar vehicle.

(b) The provisions of this section shall not be construed to prohibit the attachment of a bicycle trailer or bicycle semitrailer to a bicycle if such trailer or semitrailer is designed specifically for such purpose.

State law reference: Similar provisions, T.C.A. § 55-8-174.

Section 20-113. Carrying packages, bundles or articles.

No person operating a bicycle upon a roadway shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars.

State law reference: Similar provisions, T.C.A. § 55-8-176.

BE IT FURTHER ORDAINED, that the provisions of this ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective according to law, the public welfare requiring it.

Joe Ford, Interim County Mayor

Date:_____

ATTEST:

Clerk of County Commission

First Reading: _____

Second Reading: _____

Adopted
Third Reading: _____

SUMMARY SHEET

I. Description of Item

Livable Memphis' Walk-Bike Memphis (WBM) initiative promotes safe opportunities for walking and biking through improved bicycle and pedestrian facilities, education and public policy. In partnership with Bike Walk Tennessee, the Memphis Hightailers, Revolutions Community Bicycle Shop and others, WBM completed a comprehensive review of existing local regulations governing the use of bicycles in the City of Memphis and Shelby County. The review revealed conflicts with current state law, internal inconsistencies and omissions of generally accepted safe practices.

The changes proposed in this ordinance are designed to address the current law's structural flaws, make it more consistent with State Law and to incorporate other changes that promote the safe operation of bicycles within the County. It is also designed to clearly spell out the rights and responsibilities of bicycle riders of all skill levels.

The review revealed similar problems within the City of Memphis Code and a similar ordinance for Memphis is being submitted for consideration to the Memphis City Council.

As part of this summary, a spreadsheet has been prepared showing the current code in its entirety along with the changes included in this ordinance and comments justifying the changes.

II. Source and Amount of Funding

Not Applicable.

III. Contract Items

Not Applicable

IV. Additional Information Relevant to Approval of this Item